



# Memorandum

**To:** Honorable Richard G. Stearns, U.S. District Judge

**From:** Justin Prophet, U.S. Probation Officer

**CC:** Michael Crowley, AUSA; George Gormley, Esq.

**Date:** January 24, 2020

**Re:** Tevin Abercrombie (Dkt. 15CR10145)

## **Request to Withdraw Submitted Petitions Without Prejudice**

As the Court is aware, probation staff submitted a Petition and Affidavit for Warrant or Summons for Offender Under Supervision (dated 8/13/19) and a 1<sup>st</sup> Amended Petition and Affidavit for Warrant or Summons for Offender Under Supervision (dated 1/13/20) concerning Mr. Tevin Abercrombie. The purpose of this memorandum is to provide an update to the Court and request to withdraw the above-noted petitions without prejudice.

On 1/23/20, Mr. Abercrombie's charge of assault and battery was dismissed (BMC-Roxbury Dkt. 1902CR002522A). As delineated in the previously submitted petitions, Mr. Abercrombie has incurred several concerning issues of non-compliance while on supervised release. However, this officer believes that Mr. Abercrombie's arrest for assault and battery was his most serious violation and the impetus for the requested violation proceedings. With the dismissal of the assault and battery charge, this officer believes that requesting to withdraw previous petitions is currently a suitable course of action that enables probation staff to continue working with Mr. Abercrombie towards successful reintegration. Since the petitions have been filed, Mr. Abercrombie has participated consistently in counseling (first addressing mental health/behavioral issues and now discussing substance use issues), engaged in community partnerships with the Boston Public Health Commission, and collaborated with this officer in the areas of effective communication, problem-solving, and resource utilization.

Notably, Mr. Abercrombie continues to experience challenges in the following areas: (a) securing approved housing (he currently lives in subsidizing housing with his grandmother); (b) securing employment (he works with probation staff and community agencies for job searching); and (c) refraining from using illicit substances. This officer believes that withdrawing the previously submitted petitions without prejudice and continuing him on his current term of supervised release will provide Mr. Abercrombie with an opportunity to choose to make constructive changes and live lawfully.

The Government assents to this request to withdraw previously submitted petitions. Should the Court concur with the Probation Office's recommendation, kindly indicate below.

**Review by:**

**/s/Joseph LaFratta**

**Joseph LaFratta**

**Deputy Chief U.S. Probation Officer**

The Court Orders:

( ) The 8/13/19 and 1/13/20 petitions are withdrawn without prejudice

( ) Other:

---

Honorable Richard G. Stearns  
U.S. District Judge

Date: